

**Substantive Additions Plaintiffs  
Attempt to Make in their Reply Amended Complaints<sup>1</sup>**

**Economic Loss Master Complaint**

*Comparing Motion PELMC, Dkt. 1148-3, with Reply PELMC, Dkt. 1382-4, Reply PELMC attempts to:*

1. Add a new putative class representative—Evelyn Rice—from a state—Arkansas—for which Plaintiffs did not previously have any class representatives (Reply PELMC ¶¶ 49, 609(v))
2. Add a cause of action for violation of the Louisiana Product Liability Act (Reply PELMC ¶¶ 630, 642, 649, 668, 692, 708, 725, 741, 745(u), 763(u), 785, 794, 807, 818, 827, 836)

**Medical Monitoring Master Complaint**

*Comparing Motion PMMMC, Dkt. 1148-5, with Reply PMMMC, Dkt. 1382-6, Reply PMMMC attempts to:*

1. Add a new putative class representative—Josephine Bell—from a state—Arkansas—for which Plaintiffs did not previously have any class representatives (Reply PMMMC ¶¶ 403 at pages 13-14, 561(b) at page 186<sup>2</sup>)
2. Add a Ninth Claim for Relief for State-Law Product Liability Act Claims under the Connecticut Product Liability Act, Indiana Product Liability Act, Kansas Product Liability Act, Louisiana Product Liability Act, Mississippi Product Liability Act, New Jersey Product Liability Act, Ohio Product Liability Act, Tennessee Product Liability Act, and Washington Product Liability Act (Reply PMMMC ¶¶ 688-725 at pages 221-228)

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<sup>1</sup> Because Plaintiffs did not provide a redline showing changes made between their proposed amended complaints attached to their opening motion and those attached to their Reply, Defendants may not have identified *all* potential additions between the two versions, but have noted these as particularly significant.

<sup>2</sup> The Motion and Reply PMMMC both repeat paragraph numbers and fail to be consecutively numbered.

**Personal Injury Master Complaint**

*Comparing Motion PPIMC, Dkt. 1148-1, with Reply PPIMC, Dkt. 1382-1, Reply PPIMC attempts to:*

1. Add a strict liability-manufacturing defect claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare Motion PPIMC at p. 130, exempting claims brought by Plaintiffs from Connecticut and Louisiana, with Reply PPIMC at p. 129, omitting Connecticut and Louisiana from list of exempted States*)
2. Add a strict liability-failure to warn claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare Motion PPIMC at p. 132 with Reply PPIMC at p. 131*)<sup>3</sup>
3. Add a strict liability-design defect claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare Motion PPIMC at p. 134 with Reply PPIMC at p. 133*)
4. Add a negligence claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare Motion PPIMC at p. 135 with Reply PPIMC at p. 135*)
5. Add a negligence per se claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare Motion PPIMC at p. 137 with Reply PPIMC at p. 136*)
6. Add a breach of express warranty claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare Motion PPIMC at p. 139 with Reply PPIMC at p. 138*)
7. Add a breach of implied warranty claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare Motion PPIMC at p. 142 with Reply PPIMC at p. 142*)

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<sup>3</sup> The Reply PPIMC does add Missouri, South Carolina, and Texas to the list of states in which Plaintiffs are not pursuing a strict liability-failure to warn claim, or a strict liability-design defect claim, against the Pharmacy Defendants.

8. Add a fraud claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare* Motion PPIMC at p. 144 *with* Reply PPIMC at p. 143)
9. Add a negligent misrepresentation claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare* Motion PPIMC at p. 146 *with* Reply PPIMC at p. 145)
10. Add a breach of consumer protection statutes claim under Connecticut law against the Pharmacy Defendants (*Compare* Motion PPIMC at p. 149 *with* Reply PPIMC at p. 148)
11. Add a wrongful death claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare* Motion PPIMC at p. 164 *with* Reply PPIMC at p. 163)
12. Add a survival action claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare* Motion PPIMC at p. 165 *with* Reply PPIMC at p. 165)
13. Add a loss of consortium claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare* Motion PPIMC at p. 166 *with* Reply PPIMC at p. 166)
14. Add a punitive damages claim under the laws of Connecticut and Louisiana against the Pharmacy Defendants (*Compare* Motion PPIMC at p. 168 *with* Reply PPIMC at p. 167)